

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

UNITED STATES OF AMERICA,)
)
)
v.) CASE NO. 5:24-CR-67 (MTT)
)
WILLIAM FRANKLIN, et al.)
)
)
Defendants.)
)
)

COURT'S INSTRUCTION TO THE JURY

Because you have found Mr. Franklin guilty of Assault upon a Federal Officer, Aggravated Assault upon a Federal Officer, and Retaliating against a Witness, you must make a special finding. You must decide whether the Government has proved beyond a reasonable doubt that Mr. Franklin intentionally selected the victim because of the actual or perceived race or color of the victim. To prove that Mr. Franklin committed an offense because of the actual or perceived race or color of the victim, the Government must prove beyond a reasonable doubt that Mr. Franklin would not have committed an offense if the victim's race or color had been different but everything else had been the same. You must make this finding for each offense.

This does not mean that the Government must prove that the victim's actual or perceived race or color was the only reason Mr. Franklin committed an offense. You may find he committed an offense because of actual or perceived race or color even if there was more than one reason he committed the offense.